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11 LOWES HIW, INC.

12 **UNITED STATES DISTRICT COURT**
13 **DISTRICT OF NEVADA**

14 KATHLEEN CERNETICH, individually;
15 DEIDRE TAYLOR, individually; and JUDITH
NURSE, individually;

16 Plaintiffs,

17 vs.

18 SCOTT JONES, an individual; WHIRLPOOL
19 CORPORATION, a foreign corporation; DOE
20 individuals I-V, and ROE CORPORATIONS VI-
X;

21 Defendants.

22 AND ALL RELATED ACTIONS.
23

CASE NO.: 2:09-CV-01115-JCM-LRL

JUDGMENT,
FINDINGS OF FACT, AND
CONCLUSIONS OF LAW

24
25 **JUDGMENT**

26 Pursuant to the findings of fact and conclusions of law herein,

27 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that all claims

28 brought by Kathleen Cernetich ("CERNETICH"), Deidre Taylor ("TAYLOR"), Judith Nurse

1 (“NURSE”), American Family Mutual Insurance Company (“AMERICAN FAMILY”) and
2 State Farm Insurance Company (“STATE FARM”) against Whirlpool Corporation
3 (“WHIRLPOOL”) and Lowes HIW, Inc. (“LOWES”) be dismissed.

4 **FINDINGS OF FACT**

5 1. On December 27, 2010, the parties engaged in a settlement conference before
6 Magistrate Judge Lawrence Leavitt. (Doc. #82.)

7 2. As a result of the settlement conference before Judge Leavitt, WHIRLPOOL and
8 LOWES entered into confidential settlements with CERNETICH, TAYLOR, NURSE,
9 AMERICAN FAMILY, and STATE FARM.

10 3. WHIRLPOOL and LOWES filed a Motion for Determination of Good Faith
11 Settlement on November 12, 2011, which Judge Leavitt granted. (Docs. #86 & 95.)

12 4 WHIRLPOOL and LOWES stipulated with Scott Jones (“JONES”) to dismiss the
13 cross-claims filed against each other. (Doc. #93.)

14 5. As WHIRLPOOL and LOWES had yet to be formally dismissed from the instant
15 action, WHIRLPOOL and LOWES filed a Motion for Acknowledgment of Settlement and
16 Dismissal of All Claims against Whirlpool Corporation and Lowes HIW, Inc. (Doc. #97.)

17 **CONCLUSIONS OF LAW**

18 6. WHIRLPOOL and LOWES have settled all claims brought against them by
19 CERNETICH, TAYLOR, NURSE, AMERICAN FAMILY, and STATE FARM.

20 7. WHIRLPOOL and LOWES have had the claims brought against them by JONES
21 dismissed.

22 8. WHIRLPOOL and LOWES now have no outstanding claim against any party in
23 the instant action.

24 9. There are currently no valid claims against WHIRLPOOL and LOWES.

25 10. WHIRLPOOL and LOWES are entitled to a dismissal of all claims brought
26 against them by CERNETICH, TAYLOR, NURSE, AMERICAN FAMILY, and STATE FARM.

27 11. WHIRLPOOL and LOWES are hereby dismissed from the instant action.

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DATED this 11th day of April, 2011.

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